

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MARCH 31, 2021, WITH THE FOLLOWING MEMBERS PRESENT: CLAIRE B. CORCORAN, PRESIDENT, DAVID L. PAINTER, VICE PRESIDENT AND BONNIE J. BATCHLER, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 10:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW THAT THE MARCH 31, 2021 REGULAR SESSION WAS VIDEO RECORDED AND IS AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME. IN ADDITION, THE REGULAR SESSION IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT <https://www.youtube.com/user/clermontcounty/playlists>

IN RE: MINUTES OF REGULAR SESSION...APPROVED

Moved by Commissioner Batchler, seconded by Commissioner Painter,

To approve the minutes of Regular Session of 03/24/2021.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

LET THE RECORD SHOW: THE BOARD OF COUNTY COMMISSIONERS, CLERMONT COUNTY, OHIO, ISSUED A PROCLAMATION DESIGNATING THE MONTH OF APRIL AS "CHILD ABUSE PREVENTION MONTH" IN CLERMONT COUNTY. (21-0104-006)

## **CONSENT AGENDA**

LET THE RECORD SHOW: COMMISSIONER CORCORAN STATED THAT A CONSENT AGENDA HAS BEEN PREPARED FOR THE BOARD OF COUNTY COMMISSIONERS AND REQUESTED WHETHER ANY BOARD MEMBER WANTED ANY ITEMS REMOVED FOR FURTHER DISCUSSION AND CONSIDERATION AND UPON HEARING NONE:

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendations:

1. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) TITLE IV-E CHILD PLACEMENT AGREEMENT AND ADDENDA THERETO, CONSISTING OF AMENDMENT NUMBERS 1 THROUGH 3 WITH MID-WESTERN CHILDREN'S HOME FOR THE PROVISION OF GROUP HOME SERVICES FOR SAME...21-0322-002...EXECUTED

Recommendation of Thomas J. Eigel, County Administrator, to authorize Timothy Dick, Director, Department of Job and Family Services, to execute an Ohio Department of Job and Family Services (ODJFS) Title IV-E Child Placement Agreement and Addendum thereto, consisting of Amendment Numbers 1 through 3, by and between the County of Clermont, Ohio and Mid-Western Children's Home, 4585 Long Spurling Road, Pleasant Plain, Ohio 45162, for the provision of group home services for children referred by the Department of Job and Family

Services and/or Clermont County Juvenile Court, at the rates as identified therein, effective 05/01/2021 through 04/30/2022 , pursuant to and in compliance with the terms and conditions specified therein and contingent upon the release of the required purchase order in concert with Requisition Number 00001665-00 dated 02/25/2021 relative thereto.

**2. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...AMENDMENT TO MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CLERMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, ADMINISTRATIVE AGENT FOR CLERMONT COUNTY FAMILY AND CHILDREN FIRST, AND THE WILLIAMSBURG LOCAL SCHOOL DISTRICT RELATIVE TO THE PROVISION OF SUICIDE PREVENTION SERVICES FOR SAME...20-0807-001...EXECUTED**

Recommendation of Thomas J. Eigel, County Administrator, to authorize Timothy Dick, Director of the Department of Job and Family Services, to execute an Amendment to the Memorandum of Understanding (MOU) by and between the Clermont County Department of Job and Family Services, Administrative Agent for Clermont County Family and Children First (FCF), and the Williamsburg Local School District, previously ratified by the Board of County Commissioners on 08/19/2020, for the provision of suicide prevention services for the 2020-2021 school year, to extend the ending date of the MOU to be effective through 06/30/2021 and to add an additional suicide prevention activity entitled "HOPE Squad Summer Camp", effective upon execution through 06/30/2021, with all other terms and conditions of the original MOU to remain in full force and effect.

**3. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...AMENDMENT #1 TO THE LOCAL WORKFORCE DEVELOPMENT SYSTEM SUBGRANT AGREEMENT BY AND AMONG THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) AND REPRESENTATIVES OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) LOCAL WORKFORCE AREA 12 IN AND AS IT RELATES TO THE USE OF SUBGRANT FUNDS ALLOCATED TO WIOA LOCAL AREA 12 BY ODJFS FOR THE ADMINISTRATION OF WORKFORCE DEVELOPMENT ACTIVITIES PURSUANT TO SECTION 5101.20 OF THE OHIO REVISED CODE...19-0618-009...EXECUTED**

Recommendation of Timothy Dick, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to execute Amendment #1 to the Local Workforce Development System Subgrant Agreement by and among the Ohio Department of Job and Family Services (ODJFS) and Workforce Innovation and Opportunity Act (WIOA) Local Workforce Area 12 representatives including Butler, Clermont and Warren County Commissioners, who are the Chief Elected Officials of Local Area 12, the Local Workforce Development Board (LWDB) and the Warren County Board of Commissioners, Fiscal Agent for WIOA Local Workforce Area 12, previously ratified by the Board of Clermont County Commissioners on 08/07/2019, to define the roles and responsibilities of said parties in and as it relates to the use of Subgrant funds allocated to WIOA Local Workforce Area 12 by ODJFS for the administration of workforce development activities pursuant to Section 5101.20 of the Ohio Revised Code, with said Amendment #1 to add language relative to the Re-employment Services and Eligibility Assessment (RESEA) Grant Program as outlined therein, effective upon execution through 06/30/2021, with all other terms and conditions of the original Subgrant Agreement to remain in full force and effect.

**4. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... RELEASE OF A MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF WATER AND SEWER MAIN EXTENSION AND ACCEPTANCE OF SAME INTO THE COUNTY WATERWORKS SYSTEM...19-0131-002...APPROVED**

Recommendation of Heath Wilson P.E., Engineer, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to authorize the release of the Maintenance Bond which provided surety for the installation of the water and sewer main extensions to serve the following locations and to accept said water and sewer main extensions into the County Water Waterworks/Sewer Systems pursuant to the Clermont County Water Resources Department Rules and Regulations:

Subdivision	Township	Water Main Extension Bond	Sewer Main Extension Bond
Twin Gates Subdivision Section 6	Batavia	\$4,600.00*  *Secured by Cashier’s Check Number 371374 issued on 01/16/2019 by LCNB National Bank, on behalf of Joseph W. Schwarz, Developers of Clermont, LLC, 500 Wessel Drive, Suite 2B, Fairfield, Ohio 45014	\$9,500.00*  *Secured by Cashier’s Check Number 371375 issued on 01/16/2019 by LCNB National Bank, on behalf of Joseph W. Schwarz, Developers of Clermont, LLC, 500 Wessel Drive, Suite 2B, Fairfield, Ohio 45014

**5. IN RE:      CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
RELEASE OF A MAINTENANCE BOND AS SURETY FOR THE  
INSTALLATION OF SEWER MAIN EXTENSIONS AND ACCEPTANCE  
OF SAME INTO THE COUNTY WATERWORKS SYSTEM...19-1210-  
002...APPROVED**

Recommendation of Heath Wilson P.E., Engineer, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to authorize the release of the Maintenance Bonds which provided surety for the installation of the sewer main extensions to serve the following locations and to accept said sewer main extensions into the County Waterworks/Sewer Systems pursuant to the Clermont County Water Resources Department Rules and Regulations:

Location	Township	Sewer Main Extension Bond
Glen Echo Lane	Miami	\$2,500.00 *  *Secured by Cashier’s Check Number 3480193 issued on 12/06/2019 by PNC Bank, on behalf of Michael Eckelman, 1128 Glen Echo Lane, Milford, Ohio 45150

**6. IN RE:      BOARD OF COUNTY COMMISSIONERS...ANNUAL ELECTRONIC  
SUBSCRIPTION MEMBERSHIP REQUEST FOR THE BOARD OF  
COUNTY COMMISSIONERS, OFFICE OF PUBLIC INFORMATION...21-  
0317-001...APPROVED**

Recommendation to approve the following annual Electronic Subscription Membership request for the provision of an online software subscription, by and between the County of Clermont, Ohio and Clermont Sun Publishing Co. at the not to exceed rate and term outlined below and to authorize the County Auditor to remit the payment(s) accordingly relative thereto.

Vendor	Subscription	Not to Exceed Rate	Term
MCM Ohio, LLC. Clermont Sun Publishing Co. 465 East Main St. Batavia, Ohio 45103 DC# 21-0317-001 (revised/previously approved on 03/22/2021)	Newspaper - digital edition only	\$25.00	03/30/2021 through 03/29/2022

**7. IN RE:      BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE**

## FINANCIAL/BUDGETARY ACTIONS FOR CALENDAR YEAR 2021...APPROVED

Recommendation of Mary K. Rains, Director, Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation (**Resolution Number 191-20**) for Calendar Year 2021, including legal level of control, and/or interfund transactions pursuant to Sections 5705.13 through 5705.14 of the Ohio Revised Code as outlined in the following table(s) and to authorize Linda L. Fraley, County Auditor, to properly record same:

### CASH TRANSFER OF FUNDS FOR CALENDAR YEAR 2021

FROM: FUND - OBJECT - ACCOUNT	TO: FUND - OBJECT - ACCOUNT	AMOUNT
<b>WATER REVENUE</b>	<b>WATER CONSTRUCTION</b>	<b>\$ 2,000,000.00</b>
TRANSFERS OUT TO CAP PROJ	OPERATING TRF IN FROM ENTERPR.	
6001 - 11 - 01 - 141000 - 700300 -	6401 - 00 - 00 - 006401 - 480600 -	
<b>GENERAL FUND</b>	<b>PUBLIC ASSISTANCE</b>	<b>\$ 91,969.25</b>
TRANSFERS OUT TO SPEC REV	OPERATING TRF IN FROM GEN FUND	
1000 - 06 - 01 - 035328 - 700200 -	2401 - 06 - 01 - 081000 - 480100 -	
<b>GENERAL FUND</b>	<b>PUBLIC ASSISTANCE</b>	<b>\$ 85,000.00</b>
TRANSFERS OUT TO SPEC REV	OPERATING TRF IN FROM GEN FUND	
1000 - 06 - 01 - 035328 - 700200 -	2401 - 06 - 01 - 081000 - 480100 -	

**8. IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION FOR THE ISSUANCE OF A PROCUREMENT CARD FOR AN EMPLOYEE OF THE CLERMONT COUNTY COURT OF DOMESTIC RELATIONS AND EXECUTION OF THE REQUEST FOR THE ISSUANCE OF A PROCUREMENT CARD RELATIVE THERETO PURSUANT TO THE CLERMONT COUNTY PROCUREMENT CARD POLICY AND PROCEDURES FOR SAME...21-0104-001...APPROVED**

Recommendation of Greg Bickford, Assistant County Administrator, to authorize the issuance of a Procurement Card for Keri Shelton, an employee of the Clermont County Court of Domestic Relations, and to authorize Claire B. Corcoran, President of the Board of County Commissioners, to execute the Request for the Issuance of a Procurement Card relative thereto, pursuant to and in compliance with the Clermont County Procurement Card Policy and Procedures adopted by the Board of County Commissioners on 06/22/2005 and subsequently amended on 03/28/2007 and 09/24/2014.

**9. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED**

Recommendation of Thomas J. Eigel, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Calendar Year 2021 and any and all amendments subsequent thereto:

### CLERMONT COUNTY COURT OF COMMON PLEAS/ADULT PROBATION DEPARTMENT

**Rodney Croom, Richard Boyers, Jasmine Hobdy, Kristina Lindsey, Victoria Carpinello, Justin Longbotton, Alexandra Baldwin** – (2) days – Batavia, Ohio – Ohio Chief Probation Officers Association (OCPOA) – 2021 Line Officers Virtual Training – total expenses for registration (\$1,050.00), not to exceed \$1,050.00.

### CLERMONT COUNTY WATER RESOURCES DEPARTMENT

**Tim Neyer, Rick Fueston, Ken Allen, Ryan Hancock, Reggie Fender** – (2) days – Hillsboro,

Ohio – Southern State Community College – Best Kept Secrets of a Better Water and Wastewater Process and Water/Wastewater Process Application of Chlorine Dioxide, a 21<sup>st</sup> Century Look Workshops – total expenses for registration (\$1,090.00), not to exceed \$1,090.00.

**Matt Culbertson** – (4) days – Cincinnati, Ohio – Ohio Section American Water Works Association – One Water Technical Conference and Expo - total expenses for registration (\$595.00), not to exceed \$595.00.

**William Mellman** – (2) days – Batavia, Ohio – Ohio Stormwater Association – 2021 Ohio Stormwater Virtual Conference – total expenses for registration (\$150.00), not to exceed \$150.00.

**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**

**Gael Fawley** – (5) days – Batavia, Ohio – Ohio Economic Development Association ED Tools Webinar Series – Community Reinvestment Area Program, Enterprise Zone, Accountability and Transparency in Incentive Programs including TIRC, Join Economic Development Districts and Income Tax Incentives – total expenses for registration (\$400.00), not to exceed \$400.00.

**10. IN RE: PERSONNEL ACTIONS...APPROVED**

- \* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**LET THE RECORD SHOW:** COMMISSIONER CORCORAN STATED THAT THE BOARD HAD REACHED THE COUNTY STAFF/ELECTED OFFICIAL DISCUSSION SECTION OF THE AGENDA. SHE INQUIRED IF THERE WAS ANYONE THAT WOULD LIKE TO ADDRESS THE BOARD.

**LET THE RECORD SHOW:** JULIANNE NESBIT, HEALTH COMMISSIONER, CLERMONT COUNTY PUBLIC HEALTH (CCPH), PROVIDED THE BOARD WITH A BRIEF UPDATE ABOUT THE COVID-19 CASES IN THE COUNTY. MS. NESBIT SHARED THAT CASE RATES HAVE STABILIZED OVER THE LAST WEEK AT A CASE RATE OF 120 CASES OUT OF 100,000 PEOPLE. MS. NESBIT ADDED THAT WE WANT TO CONTINUE TO SEE A DOWNWARD TREND AND HOPEFULLY AS MORE PEOPLE ARE VACCINATED, NUMBERS WILL CONTINUE TO DROP. UC CLERMONT IS DOING GREAT WITH VACCINATION CLINICS AND APPROXIMATELY 54,000 PEOPLE OR 26% OF THE POPULATION HAVE STARTED THE VACCINATION PROCESS WITH 31,000 PEOPLE COMPLETING THE SERIES. CLERMONT COUNTY PUBLIC HEALTH RELEASES APPOINTMENTS EVERY THURSDAY AT 12:00 PM AND WILL BE DISTRIBUTING PFIZER VACCINES. IF SOMEONE PREFERS THE JOHNSON AND JOHNSON VACCINE, THEY WILL HAVE TO GO TO A MASS VACCINATION SITE. MS. NESBIT SHARED THAT THERE HAS BEEN AN INCREASE IN NO SHOWS AT VACCINATION CLINICS AND URGED PEOPLE TO CANCEL THEM SO SOMEONE ELSE CAN HAVE THAT APPOINTMENT. ALSO, WITH THE WARMER WEATHER AND MORE PEOPLE GETTING OUTSIDE IT IS TEMPTING TO TAKE THE MASKS OFF, BUT IT IS TOO EARLY AND WE MUST REMAIN VIGILANT TO LOWER OUR NUMBERS.

COMMISSIONER BATCHLER ASKED IF THEY ARE ABLE TO FILL UP NO SHOW SPOTS AND MS. NESBIT EXPLAINED THAT THEY DO TRY TO FILL EVERY SPOT SO NO VACCINE GOES TO WASTE. SHE ADDED THAT IF YOU CANCEL YOUR APPOINTMENT ON THE ARMORVAX APP IT IMMEDIATELY RELEASES THAT APPOINTMENT FOR SOMEONE ELSE TO BOOK.

COMMISSIONER PAINTER ASKED ABOUT GENERAL MASK USAGE AND WHERE WE STAND TODAY WITH A MASK MANDATE. MS. NESBIT STATED THAT WE STILL NEED TO WEAR THEM IN PUBLIC PLACES EVEN IF YOU HAVE BEEN VACCINATED BECAUSE WE HAVEN'T REACHED HERD IMMUNITY YET AND WE DO NOT HAVE A VACCINE THAT IS 100% EFFECTIVE. SHE ALSO SHARED THAT IF PEOPLE HAVE BEEN VACCINATED AND WANT TO HAVE SMALL GET TOGETHERS WITH FAMILY IT IS OKAY TO REMOVE THE MASKS IN THAT SITUATION. WE ALSO HAVE A BIG POPULATION OF PEOPLE NOT VACCINATED DUE TO NO APPROVED VACCINE AVAILABLE TO AGES 15 YEARS OR YOUNGER.

**LET THE RECORD SHOW:** TERRI BRANDENBURG, HUMAN RESOURCES COORDINATOR, GAVE A BRIEF OVERVIEW OF INJURY AND ACCIDENT CLAIMS BY EMPLOYEES OVER THE PAST THREE YEARS. SHE STATED THAT THERE HAS BEEN A SIGNIFICANT DECREASE IN INJURIES AND CLAIMS REPORTED WITH APPROXIMATELY 50% LESS IN 2020 COMPARED TO 2019. SHE BELIEVES THE DECREASE IS DUE TO THE SAFETY CULTURE IN THE COUNTY AND EMPLOYEES TAKING THE TIME TO THINK BEFORE ACTING AND BEING COMMITTED TO GETTING HOME SAFELY AT THE END OF THE WORK DAY. MS. BRANDENBURG SHARED THAT SHE IS WORKING WITH DEPARTMENTS TO GIVE WORK RESTRICTIONS WHEN INJURIES OCCUR, TO KEEP SOMEONE ON THE JOB AND MAINTAIN AS NORMAL OF A WORK DAY AS POSSIBLE. SHE ADDED THAT AS NUMBERS GO DOWN, MORAL GOES UP AND HER TEAM WILL STRIVE FOR FEWER AND FEWER INCIDENTS UNTIL THERE ARE NONE.

GARY CAUDILL, SAFETY COORDINATOR, SHARED THAT HE HAS BEEN COMMUNICATING WITH ADMINISTRATORS AND BELIEVES THAT WORKING ONE ON ONE WITH EMPLOYEES HAS HELPED TO SHOW THAT THE COUNTY CARES AND HE ADDED THAT HE WILL CONTINUE TO REACH OUT TO INJURED EMPLOYEES TO OFFER SUPPORT.

COMMISSIONER PAINTER ASKED IF THEY TRACK FIRST AID. MS. BRANDENBURG EXPLAINED THAT THEY DO, BUT IT IS NOT REPORTED TO THE BUREAU AND MR. CAUDILL DOES DO AN INVESTIGATION TO PREVENT THE INCIDENT FROM HAPPENING AGAIN. MR. PAINTER SUGGESTED THEY INCLUDE THAT INFORMATION ON THE CHART THEY SHARED AND ASKED IF THERE HAS BEEN A CHANGE IN WORKERS COMPENSATION COSTS. MS. BRANDENBURG SHARED THAT PREMIUMS HAVE DECREASED. MR. PAINTER EXPLAINED THAT WORK SAFETY IS EVERYONES RESPONSIBILITY AND GAVE PRAISE TO MR. CAUDILL AND MS. BRANDENBURG FOR THE GREAT WORK THEY ARE DOING.

## **NON-CONSENT AGENDA**

### **11. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 046-21/PAYMENT OF BILLS...ADOPTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 046-21** resolving to approve payments to vendors **in the total amount of \$1,439,342.21** as set forth in the BCC Approval Invoice Report for Checks dated **March 31, 2021**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on **03/29/2021**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**12. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...AMENDMENT TO THE CONTRACT FOR SERVICES WITH SPEAKWRITE, LLC FOR VOICE TO DOCUMENT TRANSCRIPTION SERVICES FOR SAME...20-1119-001...EXECUTED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Timothy Dick, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to execute an Amendment to the Contract for Services by and between the Board of Clermont County Commissioners, on behalf of the Clermont County Department of Job and Family Services, and SpeakWrite, LLC, previously ratified by the Board of County Commissioners on 12/08/2020 and effective for the period of 01/01/2021 through 12/31/2021, relative to the provision of Voice to Document Transcription Services, for caseworkers of the Department of Job and Family Services, Children's Protective Services Division, to increase the total amount not to exceed from \$10,000.00 to \$60,000.00 to meet the high demand for Voice to Document Transcription Services throughout 2021, effective upon execution through 12/31/2021, with all other terms and conditions of the original Contract for Services to remain in full force and effect, and contingent upon the release of the required purchase order in concert with Requisition Number 00001821-00 dated 03/04/2021 relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

**13. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/OHIOMEANSJOBS DIVISION...AMENDMENT #1 TO THE DATA SHARING AND CONFIDENTIALITY AGREEMENT BETWEEN THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS) AND LOCAL WORKFORCE DEVELOPMENT AREA 12 FOR THE PROVISION OF WAGE RECORD INFORMATION AND UNEMPLOYMENT INSURANCE CLAIMANT DATA TO LOCAL WORKFORCE DEVELOPMENT AREA 12 RELATIVE TO THE CONTINUOUS IMPROVEMENT OF THE LOCAL WORKFORCE DEVELOPMENT SYSTEM FOR SAME...19-0912-006...EXECUTED**

Moved by Commissioner Corcoran, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Timothy Dick, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize David L. Painter, as the Clermont County authorized representative of the Local Workforce Development Board, to execute Amendment #1 to the Data sharing and Confidentiality Agreement by and between the Ohio Department of Job and Family Services (ODJFS) and representatives of Local Workforce Development Area 12, previously ratified by the Board of Clermont County Commissioners on 10/16/2019, for the provision of wage record information and unemployment insurance claimant data to Local Workforce Development Area 12 to be utilized to support the continuous improvement of the local Workforce Development System, to extend the ending date of the agreement to be effective through 09/30/2021 and to add additional language, as well as, to revise language in the agreement to provide unemployment insurance claimant data and trends to employers specifically impacted by the COVID-19 pandemic, effective upon execution by ODJFS through 09/30/2021, with all other terms and conditions of the original Data Sharing and Confidentiality Agreement to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Corcoran, Yes; Commissioner Batchler, Yes; Commissioner Painter, Abstain.

**14. IN RE: COUNTY SHERIFF...SUBGRANT AWARD AGREEMENT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY/OFFICE OF CRIMINAL JUSTICE SERVICES RELATIVE TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR THE PROJECT ENTITLED CLERMONT COUNTY DRUG UNIT FOR SAME...21-0208-001...EXECUTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert S. Leahy, County Sheriff, with the concurrence of Joe Mooney, Assistant Prosecuting Attorney and Thomas J. Eigel, County Administrator, to authorize Claire B. Corcoran, President of the Board of County Commissioners, to execute a Subgrant Award Agreement for Subgrant Number 2020-JG-A01-6250 from the Ohio Department of Public Safety, Office of Criminal Justice Services, P.O. Box 182632, 1970 West Broad Street, Columbus, Ohio 43218-2632 for funding through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program funded through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for the project entitled Clermont County Drug Unit, in the amount of \$85,000.00, with a required cash match in the amount of \$28,333.00 to be allocated from the 2021 Annual Appropriation for the County Sheriff, on behalf of the County Sheriff of the County of Clermont, Ohio, as the designated agency for the administration and implementation thereof, pursuant to and in compliance with the terms and conditions set forth therein and in concert with the Grant Application heretofore filed electronically by the County Sheriff on or about 06/03/2020, and the Pre-Award Conditions therefore ratified by the Board of County Commissioners on 02/17/2021.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**15. IN RE: COUNTY ENGINEER...OHIO BUREAU OF WORKERS' COMPENSATION (OBWC) GRANT APPLICATION FOR FUNDING THROUGH THE TRENCH SAFETY GRANT PROGRAM RELATIVE TO THE PURCHASE OF AN ALUMINUM TRENCH BOX...21-0323-001...RATIFIED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Gary Caudill, Safety Coordinator, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Jeremy P. Evans, County Engineer, to execute and submit an Application for Trench Safety Grant to the Ohio Bureau of Workers' Compensation, 30 W. Spring Street, Columbus, Ohio 43215-2256, relative to the purchase of an Aluminum Trench Box for the purpose of maintaining safe working environments for the County Engineer staff as they work to replace or repair underground road infrastructure, in the estimated amount of \$6,400.00, with a local match in the amount of \$1,600.00, for a total project estimated amount of \$8,000.00, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.



**16. IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO ESTABLISH THE LOCAL CORONAVIRUS RECOVERY FUND TO ADMINISTER THE LOCAL CORONAVIRUS RECOVERY FUNDS ESTABLISHED BY THE AMERICAN RESCUE PLAN ACT OF 2021...21-0323-002...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Linda L. Fraley, Clermont County Auditor and the Office of Management and Budget to approve the establishment of Fund 2009, the Local Coronavirus Recovery Fund to accumulate revenue paid by the US Treasury and to account for the expenditures of such funds. The establishment of this fund is acceptable under Ohio Revised Code Section 5705.09.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes;   Commissioner Batchler, Yes;   Commissioner Corcoran, Yes.

**17. IN RE: BOARD OF COUNTY COMMISSIONERS...SATISFACTION OF MORTGAGES RELATIVE TO THE CHIP PROGRAM...21-0322-001...EXECUTED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jason Fountain, Assistant Prosecuting Attorney, with the concurrence of Thomas Eigel, County Administrator, to authorize Claire B. Corcoran, President of the Board of County Commissioners, to execute a Satisfaction of Mortgage, certifying that the terms of the mortgages and promissory notes they secured, as dated, have been satisfied, and authorizing the Recorder to release the said mortgages of record for the following properties, as they relate to the CHIP Program as outlined below:

Name/Address	Recorded/Executed
Charlotte Back 6315 Newtonsville Road Pleasant Plain, Ohio 45162	Executed: June 13, 2016 Recorded: June 28, 2016 Official Record Book: 2644 Pages: 2426-2431

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes;   Commissioner Painter, Yes;   Commissioner Corcoran, Yes.

**18. IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT...CONTRACT FOR SERVICES WITH SMART SERVICES, INC., FOR ENVIRONMENTAL REVIEW SERVICES IN ACCORDANCE WITH U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FUNDING REQUIRMENTS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FISCAL YEAR 2020 RELEASE OF FUNDS...20-0608-007...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael McNamara, Director, Department of Community and Economic Development, with the concurrence of Greg Bickford, Assistant County Administrator, to authorize Claire B. Corcoran, President of the Board of County Commissioners, to execute a Contract for Services by and between the Board of County Commissioners of Clermont County,

Ohio, and **Smart Services, Inc.**, 1900 Crown Park Court, Columbus, OH 43235, for the completion of Environmental Reviews of nine (9) projects identified in the Community Development Block Grant Annual Action plan for Fiscal Year 2020, as required by the U.S. Department of Housing and Urban Development in accordance with the Scope of Services identified in Exhibit A, attached thereto and made a part thereof, **for a total amount not to exceed \$9,750.00**, with said services to be completed within forty-five (45) calendar days upon issuance of a written Notice to Proceed from the Department of Community and Economic Development, pursuant to and in compliance with the terms and conditions set forth therein **and contingent upon the release and receipt of the Purchase Order required therefore in concert with Requisition Number 00001793-00 dated 03/03/2021 relative thereto.**

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**19. IN RE: CLERMONT COUNTY FLEET MANAGEMENT DEPARTMENT...  
RESOLUTION DETERMINING PERSONAL PROPERTY AS NO  
LONGER NEEDED, OBSOLETE AND/OR UNFIT FOR COUNTY USE  
AND AUTHORIZING THE DONATION OR TRANSFER OF THE  
PERSONAL PROPERTY TO CLERMONT COUNTY PUBLIC  
HEALTH...21-0326-002...APPROVED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wayne Prescott, Fleet Manager, Clermont County Fleet Management Department, with the concurrence of Thomas J. Eigel, County Administrator, that the Board of County Commissioners **resolve to donate to Clermont County Public Health**, 2275 Bauer Road, Batavia, Ohio 45103, **a 2020 Ford Transit T-250 motor vehicle**, Serial Number 1FTBR1C84LKB35836, thereby becoming the responsibility of the receiving agency, **to be used to mitigate or respond to the COVID-19 Pandemic**, acquired by Clermont County on December 30, 2020 using Coronavirus Aid, Relief and Economic Security Act (CARES) funds, pursuant to and in compliance with Section 307.12 (D) of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

**20. IN RE: CLERMONT TRANSPORTATION CONNECTION...RESOLUTION  
NUMBER 047-21/ RESOLUTION AUTHORIZING THE FILING OF AN  
APPLICATION AND EXECUTION OF A CONTRACT WITH THE OHIO  
DEPARTMENT OF TRANSPORTATION FOR THE OHIO RIDES TO  
COMMUNITY IMMUNITY PROGRAM...21-0323-004...ADOPTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 047-21/** resolving to 1) authorize Thomas J. Eigel, County Administrator, **to file an Application and execute a Contract** and 2) to authorize Thomas J. Eigel, County Administrator or the Director of Clermont Transportation Connection to furnish such additional information as required, in connection with the Application and Contract, on behalf of the Clermont County Board of Commissioners with the Ohio Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223, for the **Ohio Rides to Community Immunity Program**, in the amount of \$119,143.00, effective upon execution, **for the purpose of providing rides for testing, vaccines, and other COVID-19 related trips**, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**21. IN RE: BOARD OF COUNTY COMMISSIONERS...EXECUTION OF AMENDMENT II TO THE PARTICIPATION AGREEMENT WITH OPTUMRX, INC. FOR THE PROVISION OF SERVICES RELATIVE TO THE CLERMONT COUNTY EMPLOYEE PRESCRIPTION DRUG PLAN...20-0923-007...EXECUTED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Yvonne Smith, Benefits Coordinator, with the concurrence of Sandra Tahat, Human Resources Administrator, to authorize Claire B. Corcoran, President of the Board of County Commissioners, to execute Amendment II to the Participation Agreement by and between Clermont County and OptumRx, Inc., 1600 McConnor Parkway, Schaumburg, Illinois 60173, and acknowledge the changes to the compensation schedule, as defined in Attachment I, Exhibit A “Compensation”, attached thereto and made a part thereof, for the provision of services relative to the Prescription Drug Plan for all eligible Clermont County employees and their dependents, effective for the period of 01/01/2021 through 12/31/2023, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

**22. IN RE: BOARD OF COUNTY COMMISSIONERS/ANIMAL CONTROL... RESOLUTION NUMBER 048-21/ ESTABLISHING REASONABLE FEES FOR ADOPTION OF NON-REDEEMED DOGS FROM THE CLERMONT COUNTY ANIMAL SHELTER...21-0305-004...ADOPTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Caleb Peterson, Chief Dog Warden, with the concurrence of Greg Bickford, Assistant County Administrator, to adopt **Resolution Number 048-21** establishing reasonable fees for adoption of non-redeemed dogs in the care or custody of the Clermont County Animal Shelter that are not otherwise expressly provided for in Chapter 955 of the Ohio Revised Code, effective 04/01/2021.

**DISCUSSION:** COMMISSIONER PAINTER ASKED MR. PETERSON TO GO OVER THE FEE AMOUNTS. MR. PETERSON EXPLAINED THAT THEY DETERMINED THE AMOUNTS BY COMPARING FEES FROM 19 LOCAL SHELTERS AND RESCUES. ADOPTION FEES DO NOT INCLUDE DOG LICENSE FEES AND THE FEE FOR A DOG 8 MONTHS OR OLDER IS \$120, 8 MONTHS OR UNDER IS \$170 AND 8 YEARS AND OLDER IS \$85.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF (5) FIVE AGENDA ITEMS TO THE REGULAR SESSION OF 03/31/2021...21-0104-004...APPROVED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Thomas J. Eigel, County Administrator, asked the Board to consider adding (5) five additional items to the agenda of the Regular Session of 03/31/2021 to include (1) Item #8 from the 03/22/21 Session that was Tabled, (2) MOU relative to extending public sanitary sewer along Round Bottom Road in Union Township, (3) Terrace Ridge subdivision section 7 maintenance bond as surety for installation of water and sanitary sewer main extensions, (4) Terrace Ridge subdivision section 7 Record Plat Number 629-3271 combined performance maintenance bond/performance bond for sidewalks; and (5) Discussion with Prosecuting Attorney regarding Executive Session. Commissioner Corcoran asked for a motion to approve the additions to the agenda for today's Regular Session.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

**LET THE RECORD SHOW:** Holly Cruet, Clerk of the Board, asked the Board of County Commissioners to consider removing item #8 of the Regular Session of 03/22/2021, which was tabled by the Board of County Commissioners, from the table. Commissioner Corcoran questioned if the Board of County Commissioners would like to remove item #8 of the Regular Session of 03/22/2021, relative to Addendum Number 8 to the Lease Agreement with the Ohio Department of Public Safety for the lease of Office Space at 457 West Main Street, Batavia, Ohio for the Purpose of Drivers Examination Operations, from the table.

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners remove item #8 of the Regular Session of 03/22/2021, relative to Addendum Number 8 to the Lease Agreement with the Ohio Department of Public Safety for the lease of Office Space at 457 West Main Street, Batavia, Ohio for the Purpose of Drivers Examination Operations, from the table.

**DISCUSSION:** WADE GRABOWSKI, DIRECTOR, FACILITIES MANAGEMENT, EXPLAINED THAT IN-CAR DRIVER EXAMS WERE CANCELLED IN OCTOBER OF 2020 DUE TO COVID, BUT OUTCRY FROM CITIZENS HAVING TO DRIVE 30 MINUTES FOR DRIVER EXAMS PROMPTED A CHANGE IN THE WAY THE BATAVIA BMV CONDUCTED DRIVER EXAMS BY HAVING AN INSTRUCTOR OBSERVE FROM OUTSIDE THE CAR. THIS CHANGE HAS CREATED TRAFFIC PROBLEMS IN THE PARKING LOT WHICH IS AN ISSUE OF PUBLIC SAFETY. MR. GRABOWSKI EXPLAINED THAT TESTING IS SCHEDULED OUT ALREADY THROUGH APRIL 21<sup>ST</sup> AT A RATE OF APPROXIMATELY 60 TESTS PER DAY. THE BOARD OF COMMISSIONERS WILL NEED TO DECIDE IF THEY WOULD LIKE TO MAINTAIN THE CURRENT APPOINTMENTS OR CANCEL THEM. MR. GRABOWSKI ALSO ADVISED THAT THE STATE IS WILLING TO LIMIT THE NUMBER OF TESTS PER DAY TO HELP WITH THE FLOW OF TRAFFIC. MR. GRABOWSKI ASKED FOR AUTHORIZATION TO CONTINUE CONVERSATIONS WITH THE STATE IN ORDER TO GIVE THEM A DATE OF WHEN THEY ARE NO LONGER ABLE TO SCHEDULE DRIVER EXAMS AT THE BATAVIA LOCATION IF THEY ARE NOT GOING BACK TO IN-CAR EXAMS. COMMISSIONER BATCHLER COMMENTED THAT SHE WAS AT THE BATAVIA LOCATION RECENTLY AND IT WAS NOT A GOOD SITUATION. MR. GRABOWSKI ADDED THAT HE HAS MADE CHANGES IN SIGNAGE TO HELP WITH THE FLOW OF TRAFFIC, BUT IT ISN'T A SAFE SITUATION IN THE PARKING LOT. COMMISSIONER PAINTER ASKED IF BARB WIEDENBEIN IS AWARE OF THE ISSUES AND MR. GRABOWSKI SHARED THAT IT IS AFFECTING HER OFFICE BECAUSE HER CUSTOMERS ARE GOING TO OTHER LOCATIONS FOR SERVICES DUE TO THE PARKING LOT ISSUE. GREG BICKFORD, ASSISTANT COUNTY ADMINISTRATOR, RECOMMENDED THE BOARD LEAVE THE APPOINTMENTS AS IS AND DECIDE IF AT SOME POINT WE NEED TO GIVE A DATE OF WHEN THINGS NEED TO GO BACK TO THE WAY THEY WERE. MR. BICKFORD ADDED THAT MR. GRABOWSKI CAN WORK IT OUT WITH ALL PARTIES INVOLVED. MR. GRABOWSKI STATED THAT HE WOULD NEED AUTHORIZATION TO CONTINUE CONVERSATIONS WITH THE STATE AND HIS RECOMMENDATION WOULD BE TO APPROVE THE LEASE, BUT THE CHANGES DISCUSSED NEED TO BE DONE. HE

FURTHER ADDED THAT HE ISN'T CONFIDENT THAT THEY WILL BE ABLE TO GET BACK IN THOSE VEHICLES FOR TESTING AND THE SAFETY OF CLERMONT COUNTY CITIZENS IS MORE IMPORTANT THAN SOMEONE HAVING TO DRIVE 30 MINUTES FOR A DRIVERS EXAM.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ADDENDUM NUMBER 8 TO THE LEASE AGREEMENT WITH THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR THE LEASE OF OFFICE SPACE AT 457 WEST MAIN STREET, BATAVIA, OHIO, FOR THE PURPOSE OF DRIVERS EXAMINATION OPERATIONS...05-1005-004...EXECUTED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mary Rains, Director, Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to execute Addendum Number 8 to the Lease Agreement by and between the Board of County Commissioners, Clermont County, Ohio, and the Ohio Department of Public Safety, Office of Facility Management/Leasing & Land Management, 1970 West Broad Street, Suite 225, Columbus, Ohio 43223, previously ratified by the Board of County Commissioners on 10/19/2005 and subsequently amended on 01/04/2006, 04/10/2007, 07/06/2011, 06/12/2013, 03/04/2015, 05/10/2017 and 04/22/2019, for the lease of 1,939 sq. ft. of office space within the County building located at 457 West Main Street, Batavia, Ohio 45103 for the purpose of drivers examination operations, to provide for the extension thereof for an additional term beginning July 1, 2021 through June 30, 2023 at the annual rate of \$26,273.45 to be remitted on a quarterly basis as stated therein, which includes additions, deletions and/or modifications to the initial lease agreement and subsequent addendums, specifically Article II relative to lease term, rate and invoicing, with all other terms and conditions of the referenced lease agreement and amendments thereto to remain in full force and effect, and to authorize Wade Grabowski to continue to have further discussion with the State of Ohio.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF CLERMONT COUNTY COMMISSIONERS, ON BEHALF OF THE CLERMONT COUNTY WATER RESOURCES DEPARTMENT, AND THE UNION TOWNSHIP BOARD OF TRUSTEES RELATIVE TO EXTENDING PUBLIC SANITARY SEWER ALONG ROUND BOTTOM ROAD IN UNION TOWNSHIP...21-0324-004...EXECUTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, with the concurrence of Greg Bickford, Assistant County Administrator, to execute a Memorandum of Understanding by and between the Board of Clermont County Commissioners, on behalf of the Clermont County Water Resources Department, and the Union Township Board of Trustees, 4350 Aicholtz Road, Cincinnati, Ohio 45245 relative to extending public sanitary sewer along Round Bottom Road in Union Township, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes;   Commissioner Batchler, Yes;   Commissioner Corcoran, Yes.

**IN RE:            CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF  
WATER AND SANITARY SEWER MAIN EXTENSIONS FOR SAME...21-  
0329-002...EXECUTED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Heath Wilson P.E., Engineer, with the concurrence of Lyle G. Bloom, P.E, Director of Utilities, Clermont County Water Resources Department, to execute Maintenance Bonds in the amounts outlined below as surety for the installation of Water and Sanitary Sewer Main Extension to serve the following subdivisions:

Subdivision	Township	Water Bond	Sewer Bond
Terrace Ridge Subdivision Section 7	Union	\$3,400.00	\$7,900.00

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes;   Commissioner Painter, Yes;   Commissioner Corcoran, Yes.

**IN RE:            COUNTY ENGINEER...TERRACE RIDGE SUBDIVISION/SECTION  
7/UNION TOWNSHIP...RECORD PLAT NUMBER 629-3271 AND  
COMBINED PERFORMANCE-MAINTENANCE BOND, AS WELL AS,  
PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...21-  
0329-002...EXECUTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to execute Record Plat Number **629-3271** for the following subdivision/location within Union Township, and further to execute the Combined Performance-Maintenance Bond, as well as, Performance Bond for Sidewalks as surety for same relative to the construction of the below listed streets:

Subdivision/Location	Performance-Maintenance	Sidewalk	Street/Length (miles)
Terrace Ridge Subdivision Section 7 Union Township	\$222,000.00/\$15,000.00	\$38,320.00	Center View Drive (0.092) North View Drive (0.069)

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes;   Commissioner Batchler, Yes;   Commissioner Corcoran, Yes.

**LET THE RECORD SHOW:** ERNIE RAMOS, CHIEF ASSISTANT PROSECUTING ATTORNEY, EXPLAINED THE BOARD RECEIVED A DECISION ISSUED BY THE TWELFTH DISTRICT COURT OF APPEALS REGARDING THE LITIGATION OF CHRISTOPHER HICKS VS. CLERMONT COUNTY BOARD OF COMMISSIONERS. THE COURT RULED IN FAVOR OF MR. HICKS AND THE BOARD NEEDS TO MAKE A DECISION ON HOW TO PROCEED, EITHER BY ACCEPTING THE DECISION AND ADDRESSING THE ISSUES THE COURT HAS ORDERED OR TO FILE AN APPEAL.

**LET THE RECORD SHOW:** A RECOMMENDATION BY COMMISSIONER PAINTER AND SECONDED BY COMMISSIONER BATCHLER, TO FILE A TWO-PART APPEAL ON CASE NUMBER CA2020-06032.

**LET THE RECORD SHOW:** MR. RAMOS CLARIFIED THE TWO PARTS BEFORE THE BOARD FOR FURTHER CONSIDERATION. FIRST, THE BOARD WOULD ASK THE SUPREME COURT OF OHIO TO TAKE THE CASE SINCE THERE IS ANOTHER CASE OUT OF A DISTRICT COURT THAT RULES IN FAVOR OF THE BOARD'S POSITION WHICH CAUSES A CONFLICT OF THE TWO COURTS. SECONDLY, TO ASK THE COURT TO TAKE JURISDICTION OF THE CASE AND ACCEPT THE CASE. COMMISSIONER CORCORAN ASKED MR. RAMOS TO STATE WHAT THE MOTION SHOULD BE SO EVERYONE IS ON THE SAME PAGE.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RECOMMENDATION TO FILE A TWO PART APPEAL WITH THE SUPREME COURT OF OHIO AS IT RELATES TO CASE NUMBER CA2020-0632 IN THE MATTER OF CHRISTOPHER HICKS VS. CLERMONT COUNTY BOARD OF COMMISSIONERS...21-0407-001...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation to file a two part appeal with the Supreme Court of Ohio in and as it relates to case number CA202-0632 in the matter of Christopher Hicks vs. Clermont County Board of Commissioners, with the two parts being (1) to ask the Supreme Court of Ohio to make a decision on the conflict of the decisions within the districts, and (2) to ask the Supreme Court of Ohio to accept jurisdiction of the case.

**DISCUSSION:** COMMISSIONER PAINTER STATED THAT THIS DECISION FORCES THE BOARD TO KEEP MINUTES IN EXECUTIVE SESSION, WHICH IMPACTS EVERY PUBLIC BODY IN THE TWELFTH DISTRICT. HE ASKED MR. RAMOS IF THERE ANY WAY TO FILE FOR INJUNCTIVE RELIEF, SINCE MINUTES IN EXECUTIVE SESSION CREATES A NEW RECORD WHICH VIOLATES THE OPEN RECORDS ACT. MR. RAMOS HAS NOT SEEN THAT DONE, BUT TYPICALLY WHEN A NOTICE OF APPEAL IS FILED THERE WOULD BE A STAY OF THAT DECISION. COMMISSIONER PAINTER EXPLAINED THAT THIS RULING PUTS THIS BOARD IN A PRECARIOUS POSITION AND IT ALSO PUTS EVERY BOARD IN THIS COUNTY AND OTHER COUNTIES REPRESENTED BY THE TWELFTH DISTRICT COURT IN THAT SAME POSITION. MR. RAMOS ADDED THAT LAWYERS WILL SITE TO OTHER DECISIONS IN OTHER DISTRICTS THROUGHOUT THE STATE AND THIS DECISION WILL IMPACT OTHER PUBLIC BODIES IN THE STATE OF OHIO. COMMISSIONER BATCHLER ASKED IF OTHER ENTITIES IN THE MEANTIME SHOULD REFRAIN FROM USING EXECUTIVE SESSION AND MR. RAMOS INDICATED THAT HE COULD NOT PROVIDE AN OPINION IN THAT REGARD. COMMISSIONER PAINTER STATED THAT REGARDLESS OF THE JUDGE, YOU CANNOT BE COMPELLED TO VIOLATE A LAW IN THIS STATE AND THIS DECISION COMPELS THAT IN WHICH HE FURTHER STATED THAT HE WILL NOT BE COMPELLED TO DO THAT.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**LET THE RECORD SHOW:** COMMISSIONER CORCORAN OPENED THE MEETING FOR BOARD MEMBER COMMENTS.

**LET THE RECORD SHOW:** COMMISSIONER BATCHLER REMINDED EVERYONE TO WEAR RED TOMORROW FOR OPENING DAY TO SUPPORT THE CINCINNATI REDS.

**IN RE: ADJOURNMENT...APPROVED**

Moved by Commissioner Batchler, seconded by Commissioner Painter,

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 11:14 A.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.



**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

\_\_\_\_\_  
**CLAIRE B. CORCORAN, PRESIDENT**

\_\_\_\_\_  
**DAVID L. PAINTER, VICE PRESIDENT**

\_\_\_\_\_  
**BONNIE J. BATCHLER, MEMBER**

\_\_\_\_\_  
**HOLLY CRUEY, CLERK OF THE BOARD**

04/07/21  
**DATE APPROVED**